

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

STAFF SUMMARY REPORT: Eileen M. White
MEETING DATE: September 13, 2023

ITEM: 4

**San Francisco Bay Regional Water Quality Control Board Strategic Workplan –
Annual Performance Report: Fiscal Year 2022/23 – Informational Item**

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

STAFF SUMMARY REPORT: Eileen M. White
MEETING DATE: September 13, 2023

ITEM: 4

San Francisco Bay Regional Water Quality Control Board Strategic Workplan – Annual Performance Report: Fiscal Year 2022/23 – Informational Item

DISCUSSION

This item provides a status update on the implementation of our San Francisco Bay Regional Water Quality Control Board Strategic Workplan (Strategic Workplan) for fiscal year (FY) 2022/23. The Strategic Workplan was developed to provide an overview of what we do and to create transparency about our work for the public we serve. It describes our overarching organizational priorities, and the water quality programs we implement to achieve our mission to preserve, enhance, and restore the quality of the San Francisco Bay Region's water resources for the protection of the environment, public health, and beneficial uses.

The Strategic Workplan includes organizational priorities and actions, priorities by program and associated targets and milestones, and performance measures and targets tracked by the State Water Board. We implemented our programs with a focus on the priorities included in the Strategic Workplan and a goal of achieving our targets and milestones. Appendix A contains the tables from the Strategic Workplan annotated with FY 22/23 status updates.

Below is a summary of our progress in addressing our three overarching organizational priorities: climate action, environmental justice and racial equity, and workforce planning and development. For our water quality programs, we highlight key accomplishments organized by the categories: Plan and Assess, Regulate, Clean Up, and Enforce.

Climate Action

We continue efforts to incorporate climate actions into all our program activities and utilize our authority to advance climate adaptation planning, coordination, technical assistance, and permitting, including the following:

- We participated in multi-agency and stakeholder groups, such as the San Francisco Estuary Partnership, the San Francisco Bay Restoration Authority, the Bay Restoration Regulatory Integration Team, the Bay Area Regional Collaborative, and Bay Adapt, to develop long-range planning efforts and support specific projects to facilitate San Francisco Bay shoreline resilience and adaption to projected sea level rise. We also have been participating in local efforts, such as the [San Leandro Bay/Oakland-Alameda Estuary Adaptation Working Group](#) and the Regulatory Advisory Work Group for the Port of San Francisco's [Waterfront Resilience Program](#).
- We prepared an amendment of waste discharge requirements for 16 bayfront landfills requiring them to identify long-term flood protection strategies by evaluating the potential and predicted impacts of climate change, specifically groundwater rise, sea level rise, and extreme climate events based on the latest state guidance and emerging science. We conducted extensive public outreach (with permittees, landfill management professionals, soil and groundwater cleanup experts, local governments, and

environmental justice advocates) and modified the amendment in response to public comments.

- We created a map of areas potentially vulnerable to the effects of sea level rise and groundwater rise and overlaid our cleanup sites. We also developed a list of considerations to help us understand when a site-specific vulnerability assessment should be conducted. These considerations include pollutant toxicity and mobility; proximity to sensitive receptors such as homes, schools, or the Bay; and the presence of an engineered remedy to contain the pollution. We are now poised to begin requesting vulnerability assessments at cleanup sites.

Environmental Justice and Racial Equity

We prioritized program activities to protect water quality and beneficial water uses in communities that have experienced historical racism and environmental injustice, including the following:

- We participated in coordinated multi-agency efforts with U.S. EPA, CalEPA, the Department of Toxics Substances Control, and others to engage in racial equity and environmental justice work such as the ongoing clean-up of contamination at the former Hunters Point Naval Shipyard in San Francisco.
- We developed the San Francisco Bay Regional Water Quality Control Board Action Plan for Environmental Justice and Racial Equity (Appendix B).
- We have been coordinating with Native American Tribes on a Basin Plan Amendment to designate water bodies with the Tribal Tradition and Culture¹ and Tribal Subsistence Fishing² Beneficial Uses.
- We identified that 131 of our 850 Site Cleanup Program cases are in environmental justice communities. We have prioritized these cases for review with the goal of ensuring that cases are moving forward so that possible health and environmental exposures are identified and addressed as quickly as possible. We have reviewed nearly half of these cases to confirm case status and identify if the case is stalled and why. This work will allow us to achieve our follow-up goal for the current fiscal year of implementing community engagement improvements and regulatory actions to stop toxic exposures and push cases to closure.

Workforce Planning and Development

We continue to promote and maintain an environment that attracts, retains, and engages a talented, diverse, and inclusive workforce in support of our mission, including the following:

- We conducted several in-house training courses: two unique courses on Evidence-Based Decision Making, a course on Tools for Environmental Justice Community Engagement, and a course on Contaminants of Emerging Concern, along with a field trip

¹ Tribal Tradition and Culture: Uses of water that support the cultural, spiritual, ceremonial, or traditional rights or lifeways of California Native American Tribes, including, but not limited to, navigation, ceremonies, or fishing, gathering, or consumption of natural aquatic resources, including fish, shellfish, vegetation, and materials.

² Tribal Subsistence Fishing: Uses of water involving the non-commercial catching or gathering of natural aquatic resources, including fish and shellfish, for consumption by individuals, households, or communities of California Native American Tribes to meet needs for sustenance.

to the West County Wastewater Treatment Plant, a water recycling facility and *Urban Tith* the community-based garden and restoration area.

- We attended and presented at several conferences this last year sharing our experience and expertise, collaborating with others, and learning from the growing body of knowledge and passion within our extended community.
- We continue to implement organizational measures that promote and value employee contributions, employee wellness, racial equity, diversity and inclusion, and a learning culture, including supporting opportunities for staff to complete job-related training, supporting staff participation in CalEPA employee affinity groups, and providing a hybrid work environment to minimize commuting time.
- We, like many others, are reinventing the office as we adjust to a hybrid work environment and are adapting as we learn new strategies for creating, maintaining, and strengthening work relationships as we continue to build our team. Programs such as the creation of an onboarding initiative to integrate cohorts of new staff through four in-person events with educational talks, informal lunches, and even fun activities like a scavenger hunt add to our cohesion and sense of community. Ongoing events like the annual summer picnic and winter celebration continue to bring staff together for stronger relationships and cross pollination.

Program Accomplishments

Plan and Assess

- We continued to encourage and seek beneficial use of dredged sediment for wetlands restoration and sea level rise resilience, including implementing 50 percent beneficial reuse of the sediment for the Oakland Navigational Channel Project and participating as a partner with the Bay Conservation and Development Commission in a U.S. EPA funded project to develop a regional sediment management strategy.
- We worked with Valley Water, other regulatory partners, and the public to identify scientific needs to refine temperature thresholds to protect salmonids.
- We continued our collaborative multi-agency engagement on State Highway 37 planning for climate change resilience, with the goal of developing a resilient phased adaptation project that will achieve both transportation and environmental goals.

Regulate

- We continued our collaborative Nutrient Management Strategy with the Bay Area Clean Water Agencies to improve knowledge of the fate and potential adverse consequences of nutrients in San Francisco Bay prior to the issuance of the Third Nutrient Watershed Permit in 2024.
- The Board reissued 14 National Pollutant Discharge Elimination System (NPDES) permits, and we inspected 30 wastewater discharge facilities.
- We implemented the Statewide General Waste Discharge Requirements for Winery Process Water, enrolling six wineries and conducting outreach in Napa, Solano, and Alameda counties.
- We continued to engage in collaborative efforts that promote increases in recycled water in the Region. Two recycled water projects exemplified our recycled water project permitting efforts and coordination efforts with the Division of Drinking Water. We permitted the Google Bay View campus recycled water project located on NASA-owned

land and supported system start-up. This project is a successful example of multi-agency and public-private collaboration involving federal, state, and private company entities. We also permitted the San Francisco Public Utilities Commission's recycled water program, which includes the new Westside Recycled Water Facility, under the statewide general recycled water order. The Westside Facility will provide recycled water to Golden Gate Park for irrigation and potential other uses.

- We issued more than 170 Water Quality Certifications and Notices of Applicability under general orders for projects discharging fill to creeks, wetlands, and the Bay. This included coordination with numerous Bay Area municipalities on emergency projects to address the adverse effects of the 2022/23 heavy storms.
- Continuing our work on the Municipal Regional Stormwater NPDES Permit (MRP), we led stakeholder workgroups and developed amended permit language for specific categories of new and redevelopment projects. We also participated in workgroups and technical advisory groups to help guide development of plans and reports to monitor low impact development water quality controls, monitor the effectiveness of trash controls, develop reports on permittees' best management practices to address discharges associated with unsheltered homelessness and discharges associated with firefighting activities.
- We participated in the regional board subcommittee and worked with State Board and regional board staff to develop language, including San Francisco Bay region-specific Total Maximum Daily Load (TMDL) requirements, for the reissuance of the Statewide Small and Non-traditional Municipal Stormwater Permit.
- Continuing our work with Caltrans, we reviewed workplans and reports, conducted field inspections of more than 4,000 acres of Caltrans right-of-way, and provided two updates to the Board on Caltrans' compliance with the trash reduction benchmarks and requirements in their 2019 trash control cease-and-desist order.

Clean Up

- We continued progress on ensuring the safe reuse of former military bases. We expanded per-and polyfluoroalkyl substances (PFAS) investigations at the former Naval Station Treasure Island and Travis Air Force Base and closed privatized military cleanup cases at the former Oakland Army Base, Lennar Mare Island, and the Parks Reserve Forces Training Area in Dublin. We required Department of Defense facilities—including the former Hunters Point Naval Shipyard—to evaluate climate change impacts when evaluating the effectiveness of soil and groundwater cleanup.
- We developed guidance for vapor intrusion screening and mitigation in occupied commercial and residential buildings. We also developed a prioritization framework to ensure that effective planning and timely response actions occur when vapor intrusion is suspected. The framework includes expectations for communicating and sharing information with building owners and occupants and incorporates best practices for mitigating vapor intrusion while longer term cleanup plans are developed and implemented.
- The Site Cleanup Program (SCP) has about 650 active cases. For FY 2022/23, we met or exceeded our performance targets for cases closed and cases moved to remediation. Additionally, contaminant migration and exposures have been abated at over 93 percent compared to a statewide average of 85 percent.

- The Underground Storage Tank (UST) program has about 200 active cases. For FY 2022/23, we were below our program performance targets primarily due to three staff retirements during the fiscal year that created vacancies for several months. This vacancy equates to about 20 percent of our UST program staffing. We are now fully staffed and expect to meet or exceed our performance metrics for the current fiscal year.

Enforcement

- We resolved 23 enforcement cases with penalties totaling \$4,755,140. These cases addressed wastewater treatment plant discharges above effluent limits, discharges of process water and landfill leachate, permit violations associated with managing stormwater and dewatering operations, and creek and wetland fill. Settlements suspended \$1,126,270 of the penalties upon completion of supplemental environmental projects. We also triaged complaints and spills and assisted regulatory programs with administrative enforcement.

APPENDICES

- A. San Francisco Bay Regional Water Quality Control Board Strategic Workplan Priorities and Performance Measures and Targets
- B. San Francisco Bay Regional Water Quality Control Board Racial Equity and Environmental Justice Action Plan

Appendix A

San Francisco Bay Regional Water Quality Control Board
Strategic Workplan Priorities and Performance Measures and Targets

Appendix B

San Francisco Bay Regional Water Quality Control Board
Racial Equity and Environmental Justice Action Plan